

CITY CLERK  
GLOUCESTER, MA  
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**CITY OF GLOUCESTER  
Board of Health  
Minutes of the Meeting  
March 6, 2014  
CATA Training Room  
3 Pond Road  
Gloucester, MA 01930**

Board members present: Vice-Chairperson: Robert Harris; Joe Rosa, and Claudia Schweitzer. Present from the Health Department: Public Health Director: Noreen Burke; Public Health Nurse: Lianne Cook; Manager of Environmental Health: Max Schenk; and Sanitarian: Erin Kirchner. Absent: Chairperson: Dr. Richard Sagall and Frederick Cowan.

*Ms. Burke* introduced the Health Department's Grant Accountant Specialist, Jenna Melvin. The board welcomed Ms. Melvin.

**PUBLIC ORAL COMMUNICATION**

There was no "Public Oral Communication".

**APPROVAL OF MINUTES**

**MOTION** by Ms. Schweitzer that the Gloucester Board of Health approve the Minutes of the Meeting of February 6, 2014 as written. **Seconded** by Mr. Rosa. **CARRIED**.

**MONTHLY REPORTS**

Presented by Noreen Burke, Lianne Cook, and Max Schenk

**POTASSIUM IODIDE-** *Ms. Cook* reported that there was an article in the newspaper regarding potassium iodide. She stated that they have had some requests from the community for the tablets and the Health Department has fulfilled those requests. She stated that they do have more available for a walk-in pick up if any other residents are interested.

**HIGH RISK TASK FORCE-** *Ms. Cook* stated that a High Risk Task Force Subcommittee is forming around safe needle disposal in the community. The subcommittee will consist of members of the Police Department, emergency medical services, the Health Department, The Department of Public Works, and other non-profit providers. She stated that they are trying to make needle disposal more convenient.

**HEPATITIS C TESTING-** *Ms. Cook* reported that North Shore Health Project has approached the Health Department to support them in community awareness and Hepatitis C testing. She stated that the Health Project recommends that all people born between 1945 and 1968 be tested. She stated that she has a planning meeting next week to discuss the issue.

**BUDGET AND FINANCE-** *Ms. Cook* reported that they went in front of the Budget and Finance Committee this afternoon to request more Shingles vaccine from the City's Free Cash Fund.

**CAMP AND BEACH INSPECTIONS-** *Mr. Schenk* reported that they have started to look at their records for camp inspections in the City. He stated that they would like to strengthen their process on camp inspections. He stated that they have started to look at the beach inspection process as well. He stated that pre-season testing at the beaches will start in mid-May.

**HOUSING ENFORCEMENTS-** *Mr. Schenk* reported that one of the Board of Health's regulations is for the inspection of rental units in the city. He stated that the Health Department sent out 60 enforcement letters with 4 units each. He stated that those 240 units that will need to be inspected over the next few months as well as the one, two, and three unit range which will be done on a quarterly basis. He stated that in the first week of inspections they have had between 30-40% compliance in the units and have brought in over \$5, 000 in fees into the City's General Fund.

**LEAD PAINT DETECTION TRAINING-** *Mr. Schenk* reported that Chris Sargent is going to attend a Lead Paint Detection Training.

**NEWS ARTICLES-** *Ms. Burke* shared some articles with board members. She stated that one article she gave board members was regarding the increase of heroin deaths in Massachusetts. She stated that they are working on the issue with the Opiate Intervention and Prevention Grant. She also shared an article regarding communities opting out of the Northeast Mosquito District because of the concerns over spraying.

**STAFFING UPDATES-** *Ms. Burke* reported that they hired Lisa Jackson as the new Medical Reserve Corp Coordinator.

**HEALTHY GLOUCESTER COLLABORATIVE-** *Ms. Burke* reported that the Healthy Gloucester Collaborative Staff have been at Pond Road due to a sewer backup at their location. She stated that it has completely shut down their location for over a week.

**STAFF APPRECIATION LUNCHEON-** *Ms. Burke* reported that the staff appreciation luncheon will be on March 13<sup>th</sup>, at 12:30 p.m.

**REGIONAL OPIATE MEETING-** *Ms. Burke* reported that they had a very successful Regional Cluster Opiate meeting at Beverly Hospital. She stated that data is being gathered on unintentional deaths.

**DENTAL CENTER-** *Ms. Burke* reported that they are still recovering from the flood damage at the Dental Center caused by an apartment located above the center but they have been made whole through the City's insurance. She stated that the Dental Center is working on the lease of a Panarex digital x-ray machine. She stated that the Housing Authority just finished painting the Dental Center and they are going to work on the floors next. She stated that she has been working with Chairperson Sagall to create a planning process for the Dental Center.

**FY15 BUDGET-** *Ms. Burke* reported that they have started working on the FY15 budget. She stated that she invited Chairperson Sagall to the first meeting with the City's Chief Financial Officer on March 20, 2014.

## **NEW BUSINESS**

**8 GULL LANE (MAP 242, LOT 111) –**

**Property owner: Ann White  
Representative: Mill River Consulting**

*Requests for variances to State Environmental Code (Title 5) for septic system upgrade:*

- *to reduce the separation distance from inlet and outlet tees to high groundwater;*
- *to reduce the requirement of two deep observation holes per disposal area;*
- *to reduce the setback distance from SAS to property line;*
- *to reduce the setback distance from SAS to cellar wall and habitable space;*
- *to utilize a sieve analysis in place of a percolation test;*
- *to reduce the setback distance from SAS to private well;*
- *to reduce the setback distance from the SAS to freshwater resource area.*

**8 GULL LANE (MAP 242, LOT 111) CON'T. –**

*Dan Ottenheimer*, engineer for Mill River Consulting appeared before the board. He gave a brief overview of the variances requested for 8 Gull Lane.

*Vice-Chairperson Harris* stated that at its meeting of March 3, 2014 the Gloucester Board of Health Septic Subcommittee voted 3 for and 0 opposed to recommend to the full Board of Health, approval of the request for the following variances: to reduce the separation distance from inlet and outlet tees to high groundwater; to reduce the setback distance from the SAS to the property line; to reduce the setback distance from SAS to cellar wall and habitable space; to utilize a sieve analysis in place of a percolation test; to reduce the setback distance from the SAS to a private well; to reduce the setback distance from the SAS to the freshwater resource area. This project is the best feasible solution for the small lot size and significant presence of ledge on the property and the surrounding area. This is a repair for a system that is in failure.

*Mr. Harris* asked if the abutters had been notified. *Mr. Ottenheimer* responded that all the abutters have been notified.

*Ms. Kirchner* stated that the plan is a significant improvement over what exists now. She stated that she has not heard from any abutters either.

*Vice-Chairperson Harris* asked if there was anyone in the audience that would like to speak for or in opposition of the variances requested. There was no one.

**MOTION** by Mr. Rosa that the Gloucester Board of Health approve the request for the variances as written on the agenda of March 6, 2014 for 8 Gull Lane. **Seconded** by Ms. Schweitzer. **CARRIED**.

**10 BRACE COVE (MAP 134, LOT 30) –**

***Property owner: Michael Stezak  
Representative: Mill River Consulting***

*Requests for variances to State Environmental Code (Title 5) for septic system upgrade:*

- *to reduce the separation distance from inlet and outlet tees to high groundwater;*
- *to reduce the setback distance from SAS to property line;*
- *to reduce the setback distance from SAS to habitable space;*
- *to reduce the setback distance from SAS to accessory building;*
- *to reduce the setback distance from septic tank & Waterloo Biofilter to freshwater wetland resource area;*
- *to reduce the setback from the SAS to freshwater wetland resource area;*
- *to reduce the setback distance from SAS to private water supply well*

*Request for Variance- tight tank to be situated within 100' of a coastal bank;*

*Request for Variance- tight tank to be situated within 10' of a foundation; Request for Variance- tight tank to be situated within 50' of a private well*

*Dan Ottenheimer*, engineer for Mill River Consulting appeared before the board. He gave a brief overview of the variances requested for 10 Brace Cove.

*Ms. Kirchner* stated that the plan is a significant improvement over what exists now.

**10 BRACE COVE (MAP 134, LOT 30), CON'T –**

*Vice-Chairperson Harris* asked if there was anyone in the audience that would like to speak for or in opposition of the variances requested. There was an abutter in the audience that stated the system sounded like an improvement.

*Vice-Chairperson Harris* stated that at its meeting of March 3, 2014, the Gloucester Board of Health Septic Subcommittee voted 3 for and 0 opposed to recommend to the full Board of Health, approval of the following variances: to reduce the separation distance from inlet and outlet tees to high groundwater; to reduce the setback distance from the SAS to the property line; to reduce the setback distance from the SAS to habitable space; to reduce the setback distance from the SAS to accessory building; to reduce the setback distance from the septic tank and Waterloo Biofilter to freshwater wetland resource area; to reduce the setback from the SAS to freshwater wetland resource area; to reduce the setback distance from the SAS to private water supply well.

This project is the best feasible solution for the topography of the land (including the presence of ledge), as well as distance to drinking water wells and property lines. This is a repair for a cesspool that is in failure and is closer to habitable space and the freshwater wetland resource area than the proposed system will be.

*Vice-Chairperson Harris* asked if there was anyone in the audience that would like to speak for or in opposition of the variances requested. There was no one.

**MOTION** by Mr. Rosa that the Gloucester Board of Health approve the requests for the variances as written on the agenda of March 6, 2014, for 10 Brace Cove. **Seconded** by Ms. Schweitzer. **CARRIED.**

**REGULATION OF SYNTHETIC MARIJUANA-**

*Mr. Rosa* stated that synthetic marijuana can be a serious health issue and it is much more dangerous than regular marijuana. He stated that some communities have banned a particular chemical compound and then people create similar compounds to get around the regulations. He stated that he has discussed the issue with Paul McGeary and it may be best to have a city ordinance for synthetic marijuana. He stated that the board needs to think about how the city can regulate synthetic marijuana. The board discussed how they can assist City Council with the development of the regulation.

**ORAL COMMUNICATIONS CITY COUNCIL PUBLIC HEALTH GUIDANCE ON HEALTH CONCERNS REGARDING DOG FECAL MATTER ON CITY BEACHES-**

*Ms. Burke* stated that there has been much discussion regarding the City's leash law and dog fecal matter on city beaches. She stated that Phil Dench appeared before the City Council at their last meeting and asked the Health Department to comment on the health effects of pet waste on the beaches. She stated that the Health Department is working on a response and the Community Sanitation Program at Mass Department of Public Health has been providing guidance. She stated that Paul McGeary is trying to fund pet waste receptacles at the beaches. The board discussed the enforcement of these issues and the city's "carry in, carry out" policy as well. *Mr. Schenk* stated that the Health Department is working on an initial response to the matter. *Ms. Schweitzer* suggested that they contact Larry Durkin, The Water Compliance Officer, for some guidance as well.

## **OLD BUSINESS**

### **13 CEDARWOOD ROAD (MAP 232, LOT 30) –**

**Property owners: Robert and Patricia Smith**

#### *Update on Enforcement Order Compliance – Requirement to Upgrade Failed System*

*Mr. Schenk* stated that the owners of 13 Cedarwood Road were provided an enforcement letter and they responded that they wanted to come before the board. The owner could not obtain a ride to the meeting, so she was told she could appear before the Septic Subcommittee meeting and she did not appear. He stated that at the Septic Subcommittee meeting the board discussed the possibility that the system is in failure. He stated that the owners have hired a registered Title 5 Inspector to make a determination if the system is in failure. He stated that the inspector was in today and he spoke with him regarding the site.

### **661 WESTERN AVENUE (MAP 199, LOT 24) –**

**Property Owner: Peter and Laverne Saputo**

#### *Update re: failure to comply with septic upgrade order dated 11/6/2013*

*Mr. Schenk* stated that he did a site visit at 661 Western Avenue and spoke to the owner's son regarding the failed system. He stated that the Ms. Kirchner contacted the State and the State has a receivership program where the state takes over and move them through the court system. He stated that they had a conference call with the Assistant Attorney General and the State will get involved if the property is abandoned.

*Ms. Kirchner* stated that she spoke with the property owner yesterday and the property owner has been ill. She stated that she sent her information on the Septic Loan Program and she is going to touch base with her in a couple of weeks. The board agreed that if they are confident that the owner is moving forward, then they will have the ability to be flexible and assist the owner.

### **84 CAUSEWAY STREET (MAP 233, LOT 47) –**

**Property owners: Cory and George Grammas**

*Property owners Cory and George Grammas, John Judd, Gateway Consultants and Ronald Strong were present at the February Septic Review Subcommittee meeting to discuss the property owners' request for another extension, as relayed by contractor RB Strong.*

*Mr. Schenk* stated that they are requesting an extension for one year from April 15<sup>th</sup>, 2014 to April 15<sup>th</sup>, 2015. *Mr. Rosa* asked if there is active pollution occurring at the site. *Mr. Schenk* responded that there is not because all the waste from the building is going into what is currently being used as a tight tank and will eventually be used as a component for a full system. *Mr. Rosa* stated that if there is not any pollution then he does not see an issue, but if there is any break out, they will shut them down immediately. *Mr. Schenk* stated that Larry Durgin and the Water Compliance Office has implemented an Industrial Pre-treatment Program so they will have to work with them to ensure that the waste that is being brought to Gloucester meets their requirements for total suspended solids, etc.

**MOTION** by *Mr. Rosa* that the Gloucester Board of Health approve the extension for 84 Causeway Street with the caveat that it is written to the owners that this is the last extension and that if there is any evidence found by the Health Department of pollution of any sort due to the lack of the upgrade it is likely that the Board of Health will take action to cease operation. **Seconded** by *Ms. Schweitzer*. **CARRIED**.

**REAPPOINTMENTS-** *Ms. Burke* stated that she would like board members to review contact information with the new reappointments of *Mr. Cowan* and *Ms. Schweitzer*.

**ANNUAL REPORT-** *Mr. Rosa* provided board members with a final draft of the annual report and noted the minor changes made. Board members discussed the annual report. The board thanked *Mr. Rosa* for compiling the document.

**MOTION** by Mr. Harris that the Gloucester Board of Health accept the Health Department Annual Report with minor corrections. **Seconded** by Ms. Schweitzer. **CARRIED**.

**LONG RANGE PLANNING-** Ms. Burke stated that "Long Term Planning" will be a discussion item on the agenda for the working meeting on March 20, 2014 at 6:15. Mr. Harris stated that he may not be able to attend the meeting.

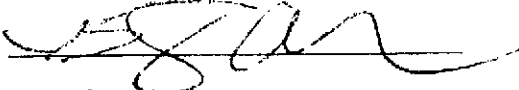
### **CONCERNS OF BOARD MEMBERS**

**HOT WATER IN RESTAURANTS-** Mr. Harris asked if restaurants were required to have hot water in their restrooms. Mr. Schenk responded that restaurants are required to have hot water in their establishments per the City Building Code. The board discussed a restaurant in Gloucester that does not have hot water in their restrooms.

**BOARD OF HEALTH MEETINGS-** Ms. Burke stated that the next Special Board of Health Meeting will be on March 20<sup>th</sup>, 2014 and the next regular Monthly Board of Health Meeting will be on Thursday April 3<sup>rd</sup>, 2014.

**MOTION** by Ms. Schweitzer to adjourn.  
**Seconded** by Mr. Rosa. **CARRIED**.  
**MEETING ADJOURNED – 7:30 p.m.**

Respectfully submitted,



Bobbi Orlando

Accepted by  


Robert Harris, Vice-Chairperson